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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

Richard Sepulveda)	Case Number 22-4208 HSG
)	
Plaintiff,)	
)	
Vs.)	PLAINTIFF'S REQUEST FOR
)	ADMINISTRATIVE RELIEF FROM
Wei Zhong Guo, et al.,)	SERVICE DEADLINE (Local Rule 7-11);
)	ORDER
Defendants.)	
)	
)	

WHEREAS, on July 20, 2022, Plaintiff filed the instant action alleging claims under Title III of the Americans With Disabilities Act of 1990 and under parallel California access law (Docket #1). On the next day, a Scheduling Order under General Order 56 was issued (Docket #6). The Scheduling Order required that all defendants be served with the complaint no later than September 20, 2022; and

WHEREAS, plaintiff has served the following defendants, on the following dates: Wei Zhong Guo, July 25, 2022; David M. Yee, September 16, 2022; Judy L. Yee, September 16, 2022; Dan B. Lau, September 15, 2022; and filed proof of service for these listed defendants on September 20, 2022 (Docket #21); leaving two defendants who need to be served, Calvin S. Lau and Francis W. Lau; and

1 WHEREAS, plaintiff has made the following efforts to serve defendant Calvin S. Lau: Plaintiff's
2 process server, Tim Ault, of One Hour Delivery Service, made attempts on July 26, 28, and 30, and
3 August 1, all in the year 2022, at the residence initially identified as the domicile of Calvin S. Lau,
4 to wit, 845 Begonia Drive, San Leandro, CA 94578; this residence was identified as the residence
5 of Calvin S. Lau based on the property deed for the property that is the subject of this lawsuit,
6 which indicates this address as the address to send property tax bills to property owner Calvin S.
7 Lau, according to the Alameda County Tax Assessor's office; when this address was found to be
8 bad (see Exhibit 1, proof of non-service indicating that a resident says that Calvin S. Lau owns the
9 house but does not live there), plaintiff's counsel hired a licensed private investigator, Specialized
10 Investigations, Inc., who identified the residence of Calvin S. Lau as being at 4353 Park Blvd.,
11 Oakland, CA 94602, using information from public records, including which indicate that he is a
12 registered voter at this address; plaintiff's counsel sent his process server to this address, but this
13 was also found to be a bad address (see Exhibit 2); now plaintiff needs more time to conduct further
14 investigation with his private investigator; and
15

16 WHEREAS, plaintiff has made the following efforts to serve Francis W. Lau: Plaintiff's process
17 server, Tim Ault, of One Hour Delivery Service, made attempts on July 26, 28, and 30, and August
18 1, all in the year 2022, at the residence initially identified as the domicile of Francis W. Lau, to wit,
19 845 Begonia Drive, San Leandro, CA 94578; this residence was identified as the residence of
20 Francis W. Lau based on the property deed for the property that is the subject of this lawsuit, which
21 indicates this address as the address to send property tax bills to property owner Francis W. Lau,
22 according to the Alameda County Tax Assessor's office; when this address was found to be bad
23 (see Exhibit 3, proof of non-service indicating that a resident says that Francis W. Lau owns the
24 house but does not live there), plaintiff's counsel hired a licensed private investigator, Specialized
25 Investigations, Inc., who identified the residence of Francis W. Lau as being at 2992 Stringham
26 Way, Dublin, California, using information from public records,; plaintiff's counsel sent his process
27 server to this address, and a neighbor next door confirmed that Francis W. Lau lives at 2992
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Stringham Way, Dublin, CA (see Exhibit 4); Francis W. Lau may be evading service; plaintiff needs more time to have his process server make more attempts;

NOW, THEREFORE, plaintiff respectfully requests that he be given an additional sixty (60) days, until November 20, 2022, to serve the summons and complaint on defendants Calvin S. Lau and Francis W. Lau.

Date: September 20, 2022

Signed: Richard A. Mac Bride /s/ Richard A. Mac Bride

Attorney for Plaintiff


ORDER

Upon request of Plaintiff for administrative relief, and good cause appearing,

IT IS HEREBY ORDERED that, in the matter of Castillo-Antonio v. Guo et al., 22-4208 HSG, the Scheduling Order in this matter filed July 20, 2022 (ECF No. 6) be amended to continue the last day by which Plaintiff must serve the complaint on defendants Calvin S. Lau and Francis W. Lau, or to dismiss one or both without prejudice from the action, from September 20, 2022 to November 20, 2022.

IT IS SO ORDERED.

Date: 9/21/2022


Haywood S. Gilliam, Jr.
United States District Judge